From: Arcaute, Francisco
Sent: Tuesday, February 20, 2018 1:26 PM
To: Rowan, Anne <rowan.anne@epa.gov>; Bassler, Rachel <Bassler.Rachel@epa.gov>; Singer, Joshua <Singer.Joshua@epa.gov>
Subject: FW: EPA - WTTW Q&A's

These approved q&a's were sent to Pupovac on March 31, 2017.

From: Arcaute, Francisco
Sent: Friday, March 31, 2017 12:49 PM
To: jpupovac@wttw.com
Subject: EPA - WTTW Q&A's

Hope this helps, please let me know if you need anything else.

Francisco Arcaute
US EPA press office
312 886 7613

GENERAL

Is this considered a superfund site? (If not, why not?)
EPA is using its authority under Superfund to remove contaminated soil at this site. The site is not on Superfund's national priorities list (NPL).

Why is it not on the NPL?
EPA's use of its removal authorities under Superfund has resulted in potentially responsible parties taking action to remove contaminated soil around H. Kramer and Benito Juarez High School (completed in 2016), and to initiate soil cleanups at residential yards in December 2016. That work will continue this spring.

COMMUNITY OUTREACH

How many homes in the Pilsen Soil Operable Unit 2 Residential Site have signed the consent for access to property?
So far, owners of 53 residential parcels have provided written consent.

Can I obtain your list of homeowners, or everyone in the area who you sent letters to?

The Privacy Act of 1974 prohibits EPA from disclosing personally identifiable information without the written consent of homeowners. EPA sent letters to all homeowners with gardens, yards, or green space. Below is a screenshot of the OU2 residential properties on EPA's website.

Is there a place where I can find all materials that have been sent to the OU2 homes? If not, may I request copies?
Relevant materials and documents regarding the cleanup are posted at: ***www.epa.gov/il/pilsen-area-soil-site#cleanup***

SETTLEMENT W/ H. KRAMER:

I see in the agreement that H. Kramer will target homes with non-permanent covers in their yard for testing and remediation. But what about subterranean contamination in homes without greenspace? If a homeowner wishes to develop their property in the future, will they be able to turn to H Kramer or the EPA for financial assistance in remediating any contaminated soil (with lead levels above 400 mg/kg)?
EPA's August 2015 Action Memo for OU2 specifies that removal activities would take place "at all the residential properties containing green space or bare soil where surface soils do not have a permanent cover and exceed the residential RML (removal management level)." Residential properties with permanent covers (concrete or asphalt) were not included because they effectively ensure that there is no actual exposure to lead. EPA cannot offer legal advice on a homeowner's private remedies for financial assistance or contribution from H. Kramer or the Agency.

Can residents sue Kramer for any damages to their health or property, or does the settlement agreement effectively act as a class action?
EPA cannot offer legal advice to private individuals for civil actions.

HISTORY OF SITE (and questions from administrative settlement/unilateral order)

Was 2013 the first time EPA sampled the soil surrounding H. Kramer and OA2? If so, why?
In response to concerns about contamination raised by community residents and PERRO in September 2012, EPA began soil sampling in December 2012. This effort was completed in August 2013.

Why has it taken so long for this soil remediation to take place? (see below) PERRO found lead in its independent soil samples in 2005. Ten years later, in a 2015 action memorandum, Ramon Mendoza requested funds - up to $3.9 million - to conduct a "time-critical removal action" in the Pilsen site. Those funds were approved by Richard Karl, superfund director, on 8/3/2015. Why the delay?
Please be aware that Illinois EPA (IEPA) was the lead agency addressing soil contamination at this site until 2012. Following PERRO's 2005 sampling, H. Kramer entered IEPA's Site Remediation Program. Under IEPA's oversight, H. Kramer removed and treated lead-contaminated soils on its property in 2011. In March 2012, IEPA issued H. Kramer a "no further remediation letter."
As previously noted, in September 2012, EPA initiated a soil investigation to determine the nature and extent of lead contamination in the surface soil in areas outside of the H. Kramer property (in OU1 and OU2). The scope of this investigation as required (by federal Superfund regulations) included forensic studies to determine the source(s) of the lead. EPA's final report from the forensic studies was completed in February 2015.

Subsequent negotiations with H. Kramer, the City of Chicago, and BNSF railroad resulted in the cleanup of soils around H. Kramer and Benito Juarez Prep School in 2015-16 (OU1). In Sept. 2016, EPA unilaterally ordered H. Kramer to clean up residential properties in the Pilsen OU2 Site. Cleanup of these residential properties started in Dec. 2016. For more information, please read EPA's Removal Site Evaluation Completed in November 2014 (posted on EPA's website).

EPA has tracked both fugitive and stack emissions from H Kramer from 1987 to present. How has that happened? (Have all of those figures been self-reported by H. Kramer & Co.?) Was nothing tracked prior to 1987? Why not? H. Kramer is required to report its lead emissions to the EPA Toxic Release Inventory (TRI) each year (https://www.epa.gov/toxics-release-inventory-tri-program). The TRI program began in 1987.

Was there a period when H. Kramer was operating without proper pollution controls? If so, when?
The Clean Air Act requires industrial each source to comply with specific emission limits for pollutants. In response to community in 2005, EPA investigated and found that H. Kramer had exceeded an emission limit. EPA required the company to install control equipment costing $780,000 to reduce air emissions (including lead) and comply with all emission limits. In 2010, EPA established a new national health-based standard for lead. After a local monitor detected lead levels exceeding the new standard, the company installed $3 million worth of air pollution control equipment, virtually eliminating lead air emissions from the facility. Monitors and alarms ensure that this pollution equipment operates continuously whenever the facility is operated.

Do we know when H. Kramer began producing lead-containing alloys?
According to H. Kramer, the Pilsen facility has been in operation for about 70 years. EPA does not know whether lead scrap has been in use there for the entire time.

Why even allow a plant like this to operate in a residential area? Shouldn't there be permits for this sort of thing that make it so that they can't be within a certain distance of schools, etc.? (Or is that a question to direct elsewhere?)
EPA has no authority regarding local zoning decisions on land use.

TRI DATA

Is there any reason why "total air emissions" can't be compared across several years on this page? (If I chart this out visually for readers, would that be misleading?)
The data was reported to EPA's TRI Program by the company as required by the Emergency Planning and Community Right-to-Know Act (EPCRA).

It looks like H. Kramer's lead emissions dropped drastically in 2005. Is there any reason why that might be?
Yes--to resolve EPA's June 2005 Finding of Violation, the company installed $780,000 worth of pollution control equipment to reduce air emissions (including lead) and comply with all emission limits.

In 2011, H. Kramer is claiming 56,982 pounds of on-site landfill releases of lead in its TRI report. Is that from their onsite soil clean-up? What do "onsite landfill releases" mean, exactly?
At smelters like H. Kramer that melt scrap metal in furnaces generate slag, a solid waste product that contains impurities unwanted by the customer. Slag containing lead is sent to a landfill for disposal or to a recycling facility. The 2011 cleanup

overseen by overseen by IEPA involved treating and capping (with asphalt) some lead contaminated soils at the H. Kramer facility. So “onsite landfill releases” may refer to lead-contaminated soils that were treated and capped at that time. You may want to contact H. Kramer or IEPA for further clarification.

MISCELLANEOUS

What has been done thus far to clean up Harrison Park?
EPA did not identify any excessive levels of metals at Harrison Park during its November 1, 2016, site assessment.

What are the arsenic levels in the soil?
EPA’s collected and analyzed soil from the Heart of Chicago site (including Harrison Park) about a half mile west of the Pilsen OU2 Site. The highest arsenic concentration found was 29 part per million (ppm), below the cleanup level of 68 ppm.

How important has PERRO been in moving this entire process along in the Pilsen community?
PERRO has been one of the strongest voices for the Pilsen community since environmental concerns about H. Kramer were first raised to EPA in 2005.